

**RESPONSE UNDER 37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
TECHNOLOGY CENTER 3700**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:  
§ Attorney Docket No.: PC807.00 / 31132.40  
EISERMANN et al.  
§  
Application No. 10/773,815  
§ Group Art Unit: 3738  
§  
Filed: February 6, 2004  
§ Examiner: Pellegrino, Brian E.  
§  
For: Method And Device For Correcting  
§ Confirmation No.: 8264  
Spondylolisthesis From The Lateral  
Approach  
§  
§

Mail Stop: RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT ACCOMPANYING RCE**

**I. Introductory Remarks**

The present paper is being submitted in response to the Final Office Action mailed July 28, 2008 and accompanies a request for continued examination (RCE).

A 3-month extension of time is hereby requested for consideration of the present paper and the corresponding fee is included herewith. Also, the fee for the RCE is included herewith. No other fees are believed necessary for consideration of the present paper. However, if any other fees are necessary the Commissioner is hereby authorized to charge any additional fees to Haynes and Boone, LLP's Deposit Account No. 08-1394.

**Listing of the Claims** begins on page 2.

**Remarks** begin on page 7.